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11 Attorneys for Defendant
12 FINANCIAL INDEMNITY COMPANY

13
14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16

17 MICHAEL WALKER, TASHELL
MITCHEL,

18 Plaintiffs,

19 v.

20 UNITRIN AUTO AND HOME INSURANCE
COMPANY, FINANCIAL INDEMNITY
COMPANY, UNITRIN DIRECT
PROPERTY AND CASUALTY COMPANY
and DOES 1 TO 25, inclusive,

21 Defendants.
22
23

24 Case No. 3:14-cv-03161--EMC

25 STIPULATION TO EXTEND EXPERT
WITNESS DISCOVERY CUTOFF FOR
PURPOSE OF DEPOSITIONS;
~~[PROPOSED]~~ ORDER

26 F.R.C.P. 29(b)

27 Pursuant to the Federal Rules of Civil Procedure 29(b), Plaintiff Michael Walker
("Walker") and Defendant Financial Indemnity Company ("FIC"), by and through their attorneys
of record, hereby stipulate and agree that:

- 1) Plaintiff has represented that his claims expert David Frangiamore is out of the
2 country until early January, 2016. Plaintiff has agreed that, in fairness, the
3 claims experts should be deposed in chronological proximity so Defendant's
4 claims expert Paul Hamilton should be deposed near the time that Plaintiff's
5 expert David Frangiamore is available for deposition.
- 6) Plaintiff seeks to offer Rob Painter as an expert witness. Defendant has
7 objected. Magistrate Judge Donna Ryu is currently considering whether or not
8 to allow Mr. Painter to serve as an expert for Plaintiff. In the event Magistrate
9 Judge Ryu allows Mr. Painter to so serve, Defendant will need to depose him.
10
11 3) Trial in this matter is set for April 16, 2016, so having these depositions go
12 forward in January, 2016 will not adversely affect trial preparation. As such,
13
14 4) For the limited purpose of taking the depositions of Plaintiff's expert witness
15 David Frangiamore and Defendant's expert witness Paul Hamilton, as well as
16 Plaintiff's purported expert witness Rob Painter if allowed by Magistrate Judge
17 Donna Ryu, the parties hereby stipulate to extend the current expert witness cut
18 off from November 19, 2015 to January 31, 2016.

19 IT IS SO AGREED AND STIPULATED.

20 DATED: November 18, 2015

LAW OFFICES OF JOHN FITZPATRICK VANNUCCI

21 By:

John Fitzpatrick Vannucci
Attorney for Plaintiff
MICHAEL WALKER

22 23 24 DATED: November 18, 2015

SEDGWICK LLP

25 By:

Nicholas J. Boes
Kara L. DiBiasio
Attorneys for Defendant
FINANCIAL INDEMNITY COMPANY

ORDER

Pursuant to the parties' stipulation, IT IS HEREBY ORDERED as follows:

For the limited purpose of taking the depositions of Plaintiff's expert witness David Frangiamore and Defendant's expert witness Paul Hamilton, as well as Plaintiff's purported expert witness Rob Painter if allowed by Magistrate Judge Donna Ryu, the current expert witness cut off is extended from November 19, 2015 to January 31, 2016.

IT IS SO ORDERED.

DATED: November 25, 2015

